

Approved by: _____

ERICA SOLOSKY

Special Assistant United States Attorney

Before:

THE HONORABLE MARTIN R. GOLDBERG

United States Magistrate Judge

Southern District of New York

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UNITED STATES OF AMERICA :

MISDEMEANOR
COMPLAINT

-v-

Violation of

IRVING A. GRANT :

18 U.S.C. 930 (a)

Defendant :

COUNTY OF OFFENSE:
WESTCHESTER

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SOUTHERN DISTRICT OF NEW YORK, ss.:

ANTHONY LUCIANO, being duly sworn, deposes and says that he is a Police Officer, assigned to the Department of Veterans Affairs Police Service, Hudson Valley HCS: Franklin Delano Roosevelt VA Medical Center-Montrose, Montrose, New York, which is located in the Southern District of New York, and charges as follows:

COUNT ONE

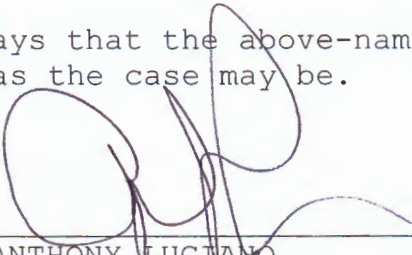
On or about November 7, 2019, at the Hudson Valley HCS: Franklin Delano Roosevelt VA Medical Center-Montrose, Montrose, New York, within the special maritime and territorial jurisdiction of the United States, in the Southern District of New York, IRVING A. GRANT, the defendant, unlawfully, knowingly and willfully possessed a firearm in a Federal Facility, to-wit, the defendant possessed a loaded BB gun at VA Medical Facility.

(Title 18, United States Code, Section 930(a))

The basis for the deponent's knowledge and for the foregoing charges are, in part, as follows:

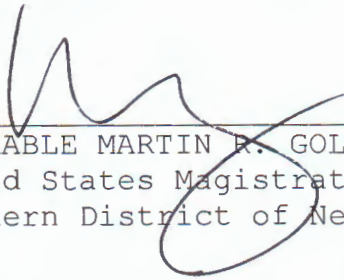
1. I am a Police Officer, assigned to the Department of Veterans Affairs Police Service, Hudson Valley HCS: Franklin Delano Roosevelt VA Medical Center-Montrose, Montrose, New York, which is located in the Southern District of New York.
2. On or about November 7, 2019, at approximately 7:15 p.m., VA Police received a call from a Mental Health Tech from building 28 indicating that while admitting a new patient, the defendant, he was asked if he had any weapons and he pulled a loaded BB gun from his suitcase and handed it over to a staff member.
3. VA Police Officer Joseph Arius and SGT Boyd responded to the call. Upon arrival to building 28, they went to the Nursing Station and made contact with the defendant. The defendant stated he brought the BB gun with him on VA property because he did not want his twin sons to have access to it. He further stated he did not know possession of a BB gun on VA property was illegal. PO Arius confiscated the BB gun along with a full magazine of 216 BB rounds.
3. PO Arius then interviewed Larry Oates, the individual who contacted police services, and he stated during his inventory of the defendant's property, he was asked about weapons and the defendant pulled the BB gun from his suitcase. Oates made a written statement as to what happened.
4. The defendant was advised of his rights and taken to the police operations for booking and processing. The defendant was issued a District Court Violation Notice for Criminal Possession of a Firearm in a Federal Facility (DCVN number 9044376/SY53) and was released on his own recognizance.

WHEREFORE, deponent prays that the above-named defendant be imprisoned or bailed, as the case may be.



ANTHONY LUCTANO
VA Police Service

Sworn to before me this
31st day of January, 2020



HONORABLE MARTIN R. GOLDBERG
United States Magistrate Judge
Southern District of New York